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LETTER DATED 17 MARCH 1993 FROM THE PERMANENT REPRESENTATIVE
OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED
NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you the Memorandum of 15 March 1993
issued by the Ministry of Foreign Affairs of the Democratic People's Republic
of Korea.

I should be grateful if you would have this letter and its annex
circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

Annex

Memorandum of the Ministry of Foreign Affairs of the Democratic
People's Republic of Korea dated 15 March 1993

(On the truth of the nuclear inspections by the International
Atomic Energy Agency in the DPRK)

Proceeding from its anti-nuclear peace policy, the Democratic People's Republic of Korea acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) with a view to getting the nuclear weapons of the United States withdrawn from south Korea, removing its nuclear threats against the DPRK and, furthermore, turning the Korean peninsula into a nuclear-weapon-free zone. It concluded the Safeguards Agreement with the International Atomic Energy Agency (IAEA) and has since accepted sincerely IAEA inspections.

This process has substantiated the integrity of the peaceful nuclear policy of the DPRK Government and further increased international trust in the DPRK.

However, the United States, picking on the alleged "suspicion of nuclear weapons development" by the DPRK, has resumed, together with the south Korean authorities, the "Team Spirit" joint military exercises, a nuclear test war against the DPRK, which is a non-nuclear-weapon State, in violation of the NPT-bound obligations it ought to strictly fulfil as a nuclear-weapon State. Coincidentally, it has manipulated some officials of the IAEA secretariat and certain member States to adopt an unjust resolution at the February meeting of the IAEA Board of Governors, forcibly calling for inspection of our military sites that have no relevance at all to nuclear activities.

The prevailing situation prevented the DPRK Government from fulfilling its obligations under the Safeguards Agreement any longer.

In this connection, considering it necessary to reveal the truth of the IAEA inspections in the DPRK, the Ministry of Foreign Affairs of the Democratic People's Republic of Korea issues this Memorandum.

I. The sincere efforts of the DPRK Government to implement
the Safeguards Agreement

The DPRK and the IAEA signed the Safeguards Agreement on 30 January 1992, which went into force on 10 April 1992. In accordance with articles 42 and 62 of the Safeguards Agreement, the DPRK provided the IAEA with its initial report on the nuclear material subject to the safeguards and design information in respect of its nuclear facilities on 4 May 1992, far ahead of the prescribed time limits.

With a view to bringing into the open all our nuclear activities, the DPRK even provided the IAEA with lists of those nuclear facilities exempt from the safeguards and of scientific research institutes. In order to enable the IAEA to adequately acquaint itself with the overall picture of the DPRK's nuclear

activities and their peaceful nature, we invited the IAEA delegation, led by its Director General, in May 1992, to the DPRK. It showed its sincerity by allowing the delegation access not only to the nuclear facilities subject to the safeguards but also to those facilities exempt from the safeguards as well as other non-nuclear-related facilities.

We showed the IAEA Director General and his entourage not only nuclear facilities still under construction but also underground structures.

The IAEA has conducted six rounds of ad hoc inspections in the DPRK up to early February 1993 from 4 May 1992 when the DPRK provided the IAEA with its initial report and other relevant documents. In this period, the IAEA inspectors examined the design information in respect of each facility, conducted their planned work such as sampling, measurement and examination of the operating records, needed for the verification of the initial report, and sealed the necessary points and installed their monitoring devices there.

Our facility operators provided the inspectors with maximum convenience and active cooperation so that the inspectors could fulfil their duty smoothly.

When the inspectors asked for sampling of the high radioactive liquid waste at the Radiochemical Laboratory, our facility operators risked physical exposure to an excessive radiation dose considerably surpassing the permitted limit, to do the job. And when the IAEA inspectors requested arrangements for the measurement of the damaged fuel at the experimental nuclear power station, the facility operators complied with their request and made necessary arrangements for the work through the complicated process, though this was against safety and operational rules.

Our nuclear activities are fully reflected in the initial report submitted by the DPRK to the IAEA. But, we supplied in time additional information, which the inspectors requested for their alleged need to verify the initial report. The DPRK's unreserved assistance has enabled the IAEA inspectors to fulfil their duties as planned without any inconvenience. The IAEA inspectors repeatedly thanked us for our sincere cooperation, which was explicitly mentioned in the reports submitted by the Director General to the meetings of the IAEA Board of Governors.

II. The unjust assertions of some officials of the IAEA secretariat

Some officials of the IAEA secretariat unreasonably insisted that there exist "inconsistencies in principle" between the DPRK's initial report and the result of the IAEA's measurement. There are none of the "inconsistencies in principle" they claimed.

Discrepancies between the DPRK's information and the result of the IAEA's measurement are not the alleged "inconsistencies". The discrepancies have originated from the IAEA's own disregard of our conditions for the operation of facilities and the characteristic features of our nuclear activities and also from the artificial fabrication by some officials of the IAEA secretariat of the result of the inspections.

The characteristic features of our nuclear activities are that we have maintained the principle of self-reliance in nuclear energy development, proceeding from the DPRK's subjective and objective conditions and that we have submitted to the IAEA inspections our nuclear facilities, which were still at the experimental stage, not in regular operation, in the view of the inspectors. Some officials of the IAEA secretariat should, as a matter of course, have taken into consideration these characteristic features of the DPRK's nuclear activities in analysing the result of the inspections.

However, they lacked the right standpoint and attitude to clarify any point at issue and, therefore, deliberately made the matter complicated, raising a hasty fuss even before seeking any consultation with the operators.

It is the operators who know best the specific conditions of the facilities. It is, therefore, indispensable for the inspectors to consult the operators. But the inspectors, being obsessed with "suspicion", began putting pressure on us, instead of trying to clarify and solve problems.

The fourth ad hoc inspection team, which visited the DPRK from 2 to 14 November 1992, asked for official talks in Pyongyang before going to the sites. At the talks, they attempted to "threaten" us, saying that "more nuclear material should be declared", that this would be "the last chance to modify the initial report" and that "a tragic consequence would follow if the chances were passed up".

Our facility operators explained the specific operating conditions of the facilities scientifically and technologically and advised them how to correctly interpret the results. The inspection teams have further acquainted themselves with the conditions at the facility locations and held detailed consultations with the operators and admitted that most of their views could be attributed to reaching hasty conclusions. Before their departure at the end of the inspection, they said that they had "heard a lot of detailed explanation and obtained useful information".

The sixth ad hoc inspection team which visited the DPRK from 26 January to 6 February 1993 put pressure on us, claiming that they found "two inconsistencies in principle", which were so serious as to require urgent clarification.

The first "inconsistency in principle", according to some officials of the IAEA secretariat, is that the composition and quantity of plutonium the DPRK declared to the IAEA do not correspond to what was calculated by the IAEA.

Our facility specialists input into computers the source data that reflected reality and obtained the correct result by calculation. This result corresponded to the composition and quantity of plutonium extracted from the melting fuel rods. This fact is beyond dispute. But the inspection team produced results remarkably different from our calculation output.

The inspection team failed to specifically explain the process of its calculation but only insisted on its calculated figure, saying that "the IAEA calculation team applied to the calculation the internationally accepted calculation programme for a reactor on the basis of the appropriate source

data". Our facility operators re-examined our calculation, as it had been raised since the fourth ad hoc inspection, and verified why the IAEA calculation was different from ours.

The inspectors failed to answer our questions: "What is wrong in our calculation?" and, "What is insufficient in our explanation?" At the conclusion of the technical discussion, they said that they had "learned a lot this time and excerpted useful data from the operating records and will re-examine them at the IAEA headquarters and will resume discussion".

The DPRK side handed over its calculation data as a document to the inspection team. However, the IAEA Director General proposed a "special inspection" to the DPRK on 9 February, even before the sixth inspection team flew back to Vienna on 8 February for re-calculation.

The second "inconsistency in principle" raised by some officials of the IAEA secretariat is that the isotopic composition of plutonium extracted by the Radiochemical Laboratory does not correspond to that of the liquid waste.

The main point here is to correctly understand its cause. The cause was fully clarified by the DPRK scientists who explained that the difference came when the solution from the basic experiment of plutonium extraction in 1975 was put together in the waste tank of the Radiochemical Laboratory.

At the talks between the DPRK delegation and the IAEA secretariat in Vienna on 20 and 21 February this year, the DPRK side again explained the points at issue in a scientific, technological and logical way with specific facts and evidence, confuting the allegations by some officials of the IAEA secretariat that the quantity and composition of plutonium extracted through the basic experimental process at the Radiochemical Laboratory did not correspond to the result calculated by the IAEA.

While they admitted their mistakes of principle in their calculation, they said, nevertheless, that they could not accept the DPRK's calculated result until it had been confirmed to be based on the data of the operating records of the facilities.

The inspectors had already examined all the relevant evidential documents, but some officials of the IAEA secretariat insisted that they had never seen such documents. We provided the IAEA, in advance, with all the necessary documents, including the initial report, as required under the Safeguards Agreement, and showed the IAEA inspectors all the documents kept at the locations, including the operating records of the facilities during the six rounds of the ad hoc inspections.

Some officials of the IAEA secretariat blindly rejected all the facts and scientific and technological arguments. Their intention was obviously to justify their demands for "special inspection" of two military installations by correlating in a far-fetched manner the alleged "inconsistencies" with these installations under the scenario worked out beforehand by the United States.

Next, some officials of the IAEA secretariat unreasonably insisted on their demands for inspection of "two locations" in the DPRK. The "two

locations" referred to by these officials are military installations which have no relevance to the nuclear activities, and therefore we were not duty-bound to show them to the IAEA. The point is that, on the basis of the false intelligence information provided by a third country, some officials of the IAEA secretariat called for an inspection of the military installations, which are not nuclear-related facilities.

In this connection, we can only look back on what has happened in the past.

In September 1992, the IAEA Director General abruptly demanded that the DPRK allow the third IAEA ad hoc inspection team then staying in the DPRK access to the "two locations", irrelevant to the nuclear activities, in the form of a visit. At that time, from the consideration that this was the first request from the Director General, we did allow the inspectors, who came for the purpose of nuclear inspection, access to the sites and facilities exempt from the safeguards, although this was contrary to the spirit of the agreement reached in May 1992.

One location was a shop producing daily necessities and the other was a military installation. The inspectors, who looked around the locations in their capacity as IAEA official personnel, searched every nook and corner of each room with their inspection instruments, like a policeman searching the house of a suspected criminal, not like a guest who came at the invitation of the host.

After seeing the military installation, the inspectors were again allowed access, at their request, to the installation because they "asked to see again the inside of the building so that other people of the IAEA would not need to come and see it again".

After looking around the two sites, they admitted that the sites had no relevance at all to the nuclear activities. Their visit had no correlation to the implementation of the Safeguards Agreement but was permitted only thanks to the DPRK's good will.

However, some officials of the IAEA secretariat misused the visit to confirm the espionage information provided by a third country. Therefore, in a letter addressed to the IAEA Director General, we pointed out clearly that such a groundless visit or inspection requested by the IAEA would no longer be permitted; it was the first but last chance. But, on 22 December 1992, the IAEA Director General again asked for the DPRK's permission to "visit", drill and take samplings at the previously visited military installation and at another military installation. He also proposed to handle it quietly, saying that an informal delegation would visit the DPRK for that purpose.

We believe that there is no need to classify the visits as formal and informal visits. Those locations to be shown in the course of the implementation of the Safeguards Agreement will be shown as a matter of course, but those locations which we are neither duty-bound nor need to show will not be shown even informally. This is related to the DPRK's sovereign rights. Therefore, we have resolutely rejected the request of the IAEA secretariat.

At the bilateral talks in Pyongyang from 20 to 22 January 1993, the negotiating mission of the IAEA secretariat cited the needs for the "visit to the two locations", that is to say: "first, the locations are related to the 'inconsistencies' found in the course of the ad hoc inspections, and second, inspection should be conducted because there is 'reliable evidence' that the locations are related to the nuclear material."

The DPRK side explained that there existed no such "inconsistencies" allegedly found in the course of the ad hoc inspections, that the "inconsistencies" would be clarified through further ad hoc inspections, that there were no grounds to assert that the "two locations" were related to the "inconsistencies" raised by the negotiating mission and that the "two locations" are military installations which have no relevance to our nuclear activities. This refuted the arguments about the "importance" and "urgency" of the proposed visit on which the IAEA secretariat impatiently insisted. The DPRK side also demanded that the IAEA negotiating mission identify the source of the "reliable evidence" with which they alleged that the locations were related to the nuclear activities.

The IAEA negotiating mission did not hesitate to reveal that it was using intelligence information provided by a third country, adding that "if the country in question is identified, it would cause relations to deteriorate between that country and the DPRK".

When the DPRK side asked for clarification of the legal grounds for the use of information provided by a third country, the IAEA mission avoided answering the DPRK's question, saying that "it takes too much time to explain it on a legal basis".

The DPRK side refuted the IAEA negotiating mission's assertions by citing relevant articles to prove that the IAEA is not legally entitled to use "intelligence information" from a third country in the implementation of the Safeguards Agreement, that the IAEA is not the police and that such an attempt by the IAEA is a breach of its own statute, the Safeguards Agreement, the spirit of the December 1991 meeting and the February 1992 resolution of the IAEA Board of Governors, etc.

A member of the IAEA negotiating mission, who spoke about his long career in international law, was tongue-tied by the DPRK side's refutation when he tried to "coerce" the DPRK side. Finally, he admitted that "the use of espionage information from a third country is not stipulated explicitly in the basic documents of the IAEA".

The DPRK side made it clear that the IAEA secretariat's assertions were unreasonable from the legal point of view, and strongly urged the IAEA not to get implicated in the false intelligence information provided by a country hostile to the DPRK, but return to its original standpoint as an impartial international organization, taking into account the political and military situation prevailing on the Korean peninsula.

III. The behind-the-scenes manipulation by the United States
of some officials of the IAEA secretariat

The IAEA inspections in the DPRK have so far been conducted through the manipulation of the United States, not in accordance with the IAEA's statute or the Safeguards Agreement.

The IAEA is obligated to protect secrets coming to its knowledge in the course of the inspections under the Safeguards Agreement, but it has communicated the results of its inspections in the DPRK to the United States and south Korea.

The United States daily, The Herald Tribune, dated 5 May 1992, reported that "according to an IAEA spokesman, North Korea provided the IAEA with a list of nuclear facilities as thick as a small telephone directory on May 4. The three previously undisclosed nuclear reactors were listed in the report".

South Korea's Munhwa Broadcasting Corporation (MBC) reported on 8 November 1992 that the IAEA was known to be planning to send a high-level delegation to Pyongyang immediately after the fourth ad hoc inspection. At that time, only a few officials of the IAEA secretariat knew about this, and we received this information from the IAEA by telex on 16 November, eight days after the south Korean MBC report.

South Korea's MBC also reported on 13 November 1992 that "the United States Administration has obtained the results of the nuclear inspections in North Korea from the IAEA and is now in the process of a close analysis of the data".

Some officials of the IAEA secretariat continued to demand that the DPRK disclose the list of nuclear materials and the list of its nuclear facilities submitted to the IAEA, and, on the other hand, unilaterally revealed the issues related to the inspections without any prior agreement with the DPRK.

On 6 May 1992, a high-ranking official of the IAEA told the DPRK representative in Vienna that "in accordance with its statute, the IAEA cannot disclose to third parties the contents of the DPRK's initial report. In my view, the DPRK may just as well inform them of the contents of its initial report as much as it thinks fit, in order to bring about earlier the improvement of the DPRK's relations with the United States and Japan".

On 10 June 1992, a high-ranking official of the IAEA called on informal meeting of the members of the IAEA Board of Governors and briefed them on his visit to the DPRK and on the course of the first ad hoc inspection and disclosed the details of the capability of the DPRK's nuclear facilities.

The United States cooked up delusive information with regard to the DPRK's nuclear activities and dished it out to Japan and other countries as well as the IAEA secretariat.

The Japanese Jiji News Service falsely reported on 16 November 1990 that "according to the United States satellite photos obtained by the Japanese Government, there exist such nuclear facilities as a Soviet-made research

reactor, a small nuclear reactor, an enriched uranium plant, a fuel reprocessing plant and a nuclear explosion test ground".

The United States has systematically interfered in the IAEA inspections in the DPRK and instigated some officials of the IAEA secretariat to enforce "special inspection" in the DPRK.

The Central Intelligence Agency of the United States in its report submitted last year to the National Security Council at the White House said that "the United States must include its trustworthy persons in the 'special inspection' group". Under this directive of the United States, some officials of the IAEA secretariat attempted to designate inspectors whose countries have no diplomatic relations with the DPRK, even after they had been notified of the DPRK's position that it would not accept such officials of the IAEA as members of the inspection team.

The recent report of the United States Central Intelligence Agency to the National Security Council at the White House wrote that "for the present, the United States must induce North Korea to accept the 'special inspection', and the shaping of North Korea policy should be subject to the outcome of the nuclear inspection".

The United States invited the IAEA Director General to take part in a "joint House hearing" on 22 July 1992 and debriefed him on the DPRK's nuclear programme, while forcing him to conduct "special inspection" and "surprise inspection" in the DPRK.

The DPRK has so far accepted the nuclear inspections sincerely and clarified the alleged "inconsistencies" on a scientific and technological basis. Nevertheless, the United States has manipulated some officials of the IAEA secretariat and certain member States to adopt at the 25 February meeting of the IAEA Board of Governors an unjust "resolution" forcibly calling for an inspection of the DPRK's military installations, which have no relevance to the nuclear activities.

IV. The DPRK's position with regard to the unjust "resolution" of the IAEA Board of Governors

The above-cited facts demonstrate that nothing whatsoever can help to justify the "resolution" authored by some officials of the IAEA secretariat and certain member States adhering to the United States, either from the viewpoint of international law or from the scientific and technological viewpoint.

The DPRK Government sharply denounces and resolutely rejects the fabrication of the unjust "resolution" against the DPRK by some officials of the IAEA secretariat and certain member States as a wanton violation of the sovereignty of the DPRK and as a robber's act to disarm the DPRK.

Some officials of the IAEA secretariat and certain member States have sided with the United States and the south Korean authorities in their conspiratorial machinations aimed at outraging the sovereignty and security of our country, and thus they have committed a grave crime against our people.

This act has only divested the IAEA of its authority and trust, beyond retrieval, as an organization committed to the principle of impartiality.

We cannot look on unconcernedly, when the United States and south Korean authorities have resumed the once-suspended "Team Spirit" joint military exercises and are pertinaciously pursuing their machinations against our country in collusion with some officials of the IAEA secretariat.

It is because of these acts that the DPRK has entered the quasi-war state to safeguard its sovereignty and security and has adopted the decision to withdraw from the NPT to defend its supreme interests. This is a self-defensive measure, to defend our nation's dignity and its right to survival, and a just measure to safeguard the common interests of the non-nuclear-weapon States.

Neither pressure nor strong-arm acts whatsoever will ever go down with us.

The United States must drop its old way of thinking of the cold war era and immediately desist from its imprudent machinations of manipulating the IAEA to force our military installations to open and to strangle our socialist system.

Some officials of the secretariat and certain member States must apologize for the crimes they have committed against the Korean people and should refrain from conducting themselves under the pressure and directives of a particular country.

The Government of the Democratic People's Republic of Korea expresses its hope that the member States of the IAEA and the world's peace-loving peoples will impartially assess, on the basis of the IAEA's statute and the Safeguards Agreement, the issues that have arisen between the DPRK and the IAEA in the course of the implementation of the Safeguards Agreement, and oppose and reject the unjust acts on the part of the United States and some officials of the IAEA secretariat.
